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12 Attorneys for Defendant
13 APPLE INC.

14 (additional counsel listed on signature page)

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN JOSE DIVISION**

18 IN RE APPLE INC. SECURITIES
19 LITIGATION

Case No. C06-05208-JF

CLASS ACTION

20 THIS DOCUMENT RELATES TO:
21 ALL ACTIONS

**STIPULATION AND [PROPOSED]
ORDER REGARDING SCHEDULING
MATTERS**

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23 Judge: The Honorable Jeremy Fogel
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1 WHEREAS, on August 24, 2006, plaintiffs Vogel and Mahoney filed a class action
2 complaint in this Court alleging that certain defendants violated the Securities Exchange Act of
3 1934 (the “Exchange Act”), including § 10(b) and Rule 10b-5 thereunder, and § 20(a)
4 (“*Vogel I*”);

5 WHEREAS, on June 27, 2008, plaintiffs Vogel and Mahoney filed a new class action
6 complaint in this Court alleging that certain defendants violated the Exchange Act, including
7 § 10(b) and Rule 10b-5 thereunder, and § 20(a) (“*Vogel II*”);

8 WHEREAS, on April 8, 2010, this Court entered an order consolidating *Vogel I* and
9 *Vogel II*, extending defendants’ time to respond to the complaint to June 25, 2010, and setting a
10 briefing schedule in the event that defendants respond to the complaint by filing motions;

11 WHEREAS, on May 14, 2010, plaintiffs filed a [Corrected] First Amended Consolidated
12 Class Action Complaint (“Complaint”);

13 WHEREAS, the parties have met and conferred and wish to extend defendants’ time to
14 respond to the Complaint and modify the briefing schedule in the event that defendants respond to
15 the Complaint by filing motions;

16 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
17 request that the Court enter an order as follows:

18 1. Defendants shall file their responses to the Complaint by September 3, 2010.

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2. In the event that defendants respond to the Complaint by filing motions, the briefing and hearing schedule for defendants' motions will be:

Plaintiffs' Oppositions Due: October 8, 2010

Defendants' Replies Due: October 29, 2010

Hearing: To be set by the Court.

IT IS SO STIPULATED

Dated: July 27, 2010

GEORGE A. RILEY
O'MELVENY & MYERS LLP

By: _____ /s/ George A. Riley
George A. Riley

Attorneys for Defendant
APPLE INC.

Dated: July 27, 2010

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By: /s/ Douglas R. Young
Douglas R. Young

Attorneys for Defendants
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1 Dated: July 27, 2010

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6 By: _____ /s/ Yohance C. Edwards

7 Yohance C. Edwards

8 Attorneys for Defendants
9 FRED D. ANDERSON and NANCY R.
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10 Dated: July 27, 2010

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17 By: _____ /s/ Michael J. Barry

18 Michael J. Barry

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22 Attorneys for Lead Plaintiff
23 THE NEW YORK CITY EMPLOYEES'
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1 I, George A. Riley, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General
3 Order 45, X.B., I hereby attest that Douglas R. Young, Yohance C. Edwards and Michael J. Barry
4 have concurred in this filing.

5 By: /s/ George A. Riley
6 George A. Riley

7 **O R D E R**

8 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

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10 DATED: July ___, 2010

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The Honorable Jeremy Fogel
United States District Judge